

**Court of Appeals, State of Michigan**

**ORDER**

Peter D. O'Connell  
Presiding Judge

Patrick M. Meter

Stephen L. Borrello  
Judges

People of MI v Gary Edward Davenport

Docket No. 271366

L. Ct. No. 05-092269-FC

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The Court orders that the motion to remand is DENIED since appellate counsel failed to provide this Court with a proper affidavit or offer of proof that set forth the facts to be established at a hearing. MCR 7.211(C)(1)(a).

Borrello, J. would GRANT the motion to remand.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 20 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk